

HOUSE BILL 300

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2003 Regular Session
3r0689
CF 3r0690

By: **Delegate Doory (Committee to Revise Article 27 - Crimes and Punishments)**

Introduced and read first time: January 31, 2003

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Criminal Law - Obstructing or Hindering a Law Enforcement Officer -**
3 **Penalty**

4 FOR the purpose of establishing a maximum penalty for the common law crime of
5 obstructing or hindering a law enforcement officer in the performance of the
6 officer's duty; and generally relating to obstructing or hindering a law
7 enforcement officer.

8 BY adding to
9 Article - Criminal Law
10 Section 9-408
11 Annotated Code of Maryland
12 (2002 Volume)

13 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
14 MARYLAND, That the Laws of Maryland read as follows:

15 **Article - Criminal Law**

16 9-408.

17 A PERSON WHO IS CONVICTED OF OBSTRUCTING OR HINDERING A LAW
18 ENFORCEMENT OFFICER IN THE PERFORMANCE OF THE OFFICER'S DUTY IS GUILTY
19 OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT
20 EXCEEDING 3 YEARS OR A FINE NOT EXCEEDING \$3,000 OR BOTH.

21 COMMITTEE NOTE (COMMITTEE TO REVISE ARTICLE 27): A 3-year
22 maximum sentence is recommended for the common law crime of obstructing or
23 hindering a law enforcement officer in the performance of the officer's duty because
24 the Commission on Criminal Sentencing Policy has classified the common law crime
25 as a Seriousness Category VI offense and a number of other offenses in this category
26 carry a maximum penalty of 3 years imprisonment, including escape in the second
27 degree.

1 SECTION 2. AND BE IT FURTHER ENACTED, That the Committee Note
2 contained in this Act is not law.

3 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
4 October 1, 2003.